

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 03-2104V

Filed: November 25, 2008

NOT TO BE PUBLISHED

LISA AND CHARLES DEAN, as legal *
representatives of SAVANNA DEAN, *

Petitioners, *

Attorney's Fees and Costs;
Informally resolved

V. *

SECRETARY OF THE DEPARTMENT *
OF HEALTH AND HUMAN SERVICES, *

Respondent. *

DECISION¹

Petitioner filed a Motion for Attorney Fees on August 26, 2008. P Motion for Attorney's Fees, filed Aug. 26, 2008. Respondent filed a Motion for Extension of Time requesting thirty additional days to file a response to petitioner's application for fees and costs. R Motion for Extension of Time, filed Sept. 5, 2008. Respondent's request was granted. Order filed Sept. 12, 2008. Respondent filed a status report on October 8, 2008 addressing respondent's response to petitioner's request for attorneys' fees and costs. R Status Report, filed Oct. 8, 2008. Respondent requested additional time to receive the documentation requested, review petitioner's application in light of the additional documentation filed, and file any necessary response. Id. A scheduling Order was filed on October 17, 2008 ordering respondent to file by no later than November 17, 2008 either a statement that the parties have resolved the matter, which shall include the agreed upon amounts, or respondent's response. Order filed Oct. 17, 2008. Respondent filed a status report on November 14, 2008 stating that the parties have resolved the

¹The undersigned intends to post this decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, "the entire" decision will be available to the public. Id.

fees and cost issues in this case. R Status Report, filed Nov.14, 2008. Petitioner filed an Amended Affidavit for Fees and Costs on November 19, 2008 requesting an agreed upon total of \$40,623.97 in attorney's fees and costs. P Amended Affidavit for Fees and Costs, filed Nov.19, 2008.

After reviewing the request, the court finds that an award in the amount of **\$ 40,623.07** in attorney's fees and costs for petitioner's counsel to be reasonable. The court thanks the parties for their cooperative efforts in resolving this matter.

Accordingly, pursuant to Vaccine Rule 13, petitioner is hereby awarded a **total of \$ 40,623.07 in attorney's fees and costs** to be paid jointly to petitioner and petitioner's counsel. In the absence of a motion for review filed pursuant to RCFC, Appendix B, the Clerk is directed to enter judgment according to this decision.²

IT IS SO ORDERED.

Gary J. Golkiewicz
Chief Special Master

²Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.